UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

15-mj-545(BRT)

In the Matter of the Complaint and Arrest of
CHABAPRAI BOONLEA,
a/k/a "CHABAPRAI FLANIGAN,"
a/k/a "LILY,"
a/k/a "PLOY,"
a/k/a "LINDA"

FILED UNDER SEAL
PETITION OF THE UNITED STATES FOR AN ORDER SEALING COMPLAINT, ARREST WARRANT, AFFIDAVIT, RETURN, PETITION AND ORDER FOR SEALING

COMES NOW the United States of America by its undersigned attorneys and in support of its Petition for an Order Sealing Complaint, Arrest Warrant, Affidavit, Return, and Petition in the above-captioned matter, states as follows:

1. On August 12, 2016, The Honorable Becky R. Thorson issued a Warrant authorizing the arrest of defendant Chapabrai Boonlea, a/k/a Chabaprai Flanigan, a/k/a Lily, a/k/a Ploy, a/k/a Linda.

2. The Affidavit of Special Agent Tonya M. Price, submitted in support of the Arrest Warrant, sets forth facts regarding Sex Trafficking; Transportation to Engage in Prostitution; Visa Fraud; Forced Labor; and Money Laundering, all in violation of 18 U.S.C. §§ 1546, 1589, 1591, 1594, 1956, and 2421.

3. The arrest warrant documents presented to this Court include detailed and highly sensitive investigative information regarding an ongoing international conspiracy to engage in human trafficking and money laundering. Disclosure of the information would jeopardize an ongoing investigation into alleged criminal offenses. This organization, in particular, is highly sensitive to law enforcement investigation. For instance, as noted in

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Special Agent Price's Affidavit, law enforcement believes that W-4 previously alerted the organization to law enforcement's investigation, prompting the organization to relocated its Minnesota-based operation to Atlanta in August 2015. Nondisclosure of the arrest warrant documents is necessary to prevent the ongoing investigation from being compromised. Immediate public filing of the arrest warrant documents would, *inter alia*, compromise details about the nature, extent, and scope of the investigation. Disclosure would also jeopardize the safety of one or more individuals and the privacy of individuals unlikely to be, and/or who may ultimately not be, indicted.

4. Additionally, this organization operates throughout the United States and internationally. The government is preparing for a large-scale takedown of this organization, which is comprised largely of foreign nationals. If information concerning law enforcement's investigation were to become public, it would likely prompt the flight of various individuals in this organization. Moreover, it would jeopardize law enforcement safety in executing the takedown of this organization, which law enforcement expects to include the arrests of over a dozen individuals.

5. The Court's power to prevent disclosure of its files, especially for a limited period of time, is well established. This general power has been recognized by the United States Supreme Court:

> It is uncontested, however, that the right to inspect and copy judicial records is not absolute. Every court has supervisory power over some records and files and access has been denied

> where court files might have become a vehicle for improper purposes.

Nixon v. Warner Communications, Inc., 435 U.S. 589, 598 (1978). The Eighth Circuit has recognized the Court's specific power to restrict access to warrant documents like those at issue here:

> We hold that the qualified first amendment right of public access extends to the documents filed in support of search warrants and that the documents may be sealed if the district court specifically finds that sealing is necessary to protect a compelling government interest and that less restrictive alternatives are impracticable.

In re Search Warrant for Secretarial Area Outside Office of Gunn, 855 F.2d 569, 574 (8th Cir. 1988).

6. The Eighth Circuit and district courts within the Circuit have recognized that the circumstances surrounding ongoing investigations constitute compelling government interests warranting the sealing of warrant documents. For example, the Eighth Circuit has approved sealing warrant documents that "describe[d] in detail the nature, scope and direction of the government's investigation and the individuals and specific projects involved," resulting in "substantial probability that the government's on-going investigation would be severely compromised if the sealed documents were released." *Id.* at 574. Moreover, the Eighth Circuit has recognized that warrant affidavits permeated with references to individuals other than the subjects of the warrant and/or with information revealing the nature, scope and direction of the government's ongoing investigation may

be sealed not only because they present compelling government interests justifying sealing, but also because less restrictive alternatives to sealing are in such circumstances impracticable. *Gunn*, 855 F.2d at 574.

7. Based upon the foregoing and all the files and proceedings to date, the United States respectfully requests that this Court issue an Order Sealing the Warrant, Application, Affidavit of Special Agent Tonya M. Price, Return, this Petition, and the Sealing Order until the close of business on January 25, 2017, unless a compelling interest is shown by the United States for a continuation of the sealing.

8. The United States respectfully requests that the Court grant the order to seal the attached warrant and the affidavit of Special Agent Tonya M. Price, expect that the United States may disclose the attached warrant and warrant materials to other law enforcement entities, including those outside the United States, for the purpose of executing the arrest warrant.

Dated: August 12, 2016

Respectfully submitted,
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